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SMITH'S FOOD & DRUG CENTERS, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CARLOS ESCABEDO,  
  
Plaintiff,

vs.

SMITH'S FOOD & DRUG CENTERS, INC.,  
DOE SMITH'S FOOD & DRUG CENTERS,  
INC. EMPLOYEE 1; DOES 2 through 10;  
ROE CORPORATIONS 1 through 10,  
inclusive,  
  
Defendants.

Case No. 2:23-cv-02031-JAD-EJY

**STIPULATION AND ORDER TO  
EXTEND DATE FOR FILING RESPONSE  
TO PLAINTIFF'S MOTION TO AMEND  
COMPLAINT AND REMAND TO STATE  
COURT**

**[SECOND REQUEST]**

**WHEREAS** Plaintiff CARLOS ESCABEDO (hereinafter "Plaintiff"), by and through his counsel of record, the law firm of BRENSKE ANDREEVSKI & KRAMETBAUER, filed his Motion to Amend Complaint and Remand to State Court on June 5, 2024 (*see* ECF No. 21);

**WHEREAS** the Parties filed, and this Court signed an Order granting, a Stipulation to extend the date for Defendant SMITH'S FOOD & DRUG CENTERS, INC. to file its Response to Plaintiff's Motion (*see* ECF No. 24);

**WHEREAS** Defendant SMITH'S FOOD & DRUG CENTERS, INC. (hereinafter "SMITH'S"), by and through its counsel of record, the law firm of COOPER LEVENSON, P.A., is required to file its Response to Plaintiff's Motion to Amend Complaint and Remand to State Court no later than July 10, 2024;

**WHEREAS** Plaintiff and SMITH'S (collectively, the "Parties"), by and through their respective counsel of record, have begun and continue to engage in settlement discussions to avoid further

litigation, the discussions for which have been continuing in good faith;

**WHEREAS** the Parties seek to avoid additional motion practice if settlement can be reached;  
and

**WHEREAS** this is the Second such Stipulation entered into by the Parties and presented to this Court regarding this motion practice:

**IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff and SMITH'S, by and through their respective counsel of record, that the date for SMITH'S to file its Response to Plaintiff's Motion to Amend Complaint and Remand to State Court be extended by seven (7) days, to **July 17, 2024.**

**IT IS SO STIPULATED.**

DATED this 10th day of July, 2024.

DATED this 10th day of July, 2024.

**BRENSKE ANDREEVSKI & KRAMETBAUER COOPER LEVENSON, P.A.**

*/s/ Scott M. Brenske*

*/s/ Pooja Kumar*

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*Smith's Food & Drug Centers, Inc.*

**IT IS SO ORDERED.**

  
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UNITED STATES MAGISTRATE JUDGE

DATED: July 10, 2024

4864-6657-6591, v. 1